To amend the Help America Vote Act of 2002 to reimburse jurisdictions for amounts paid or incurred in preparing, producing, and using contingency paper ballots in the November 7, 2006, Federal general election.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Confidence in Voting Act of 2006”.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 4 SECTION 1. SHORT TITLE.
5 Act of 2006”.

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SEC. 2. FINDINGS.

Congress finds that a bipartisan report by former Attorney General Richard Thornburgh and former Governor Richard Celeste concluded that “it will be essential this year that jurisdictions have backup and contingency plans that anticipate a wide range of possible failures in their electronic voting systems”, and that contingency paper ballots provide a sufficient backup plan for the failure of such systems.

SEC. 3. REIMBURSEMENTS FOR CONTINGENCY PAPER BALLOTS.

(a) Reimbursement.—Part 1 of subtitle D of title II of the Help America Vote Act of 2002 (42 U.S.C. 15401 et seq.) is amended by inserting after section 257 the following new section:

“SEC. 257A. PAYMENTS FOR CONTINGENCY PAPER BALLOTS FOR THE 2006 GENERAL ELECTION.

“(a) In General.—The Commission shall pay to each jurisdiction that conducts a general election on November 7, 2006, and uses a voting system other than an optical scan or other paper ballot voting system in such election an amount equal to the documented costs paid or incurred by such jurisdiction for the preparation, production, and use of contingency paper ballots for such election, but not to exceed 75 cents for each contingency paper ballot printed by such jurisdiction for such election.
“(b) Requirements.—No payment shall be made under subsection (a) unless the jurisdiction—

“(1) permits an individual, upon request, to cast a vote by means of a contingency paper ballot without regard to the means of voting otherwise specified in the jurisdiction where such individual votes;

“(2) posts, in a conspicuous manner at the polling place, a notice stating that contingency paper ballots are available at the polling place and that a voter may request to use such a ballot at the voter’s discretion; and

“(3) treats each such contingency paper ballot cast by a voter as a regular ballot cast in the election and counts it accordingly, and does not treat it as a provisional ballot under section 302(a), unless the ballot is cast by an individual described in such section who is permitted to cast a provisional ballot in accordance with such section.

“(c) Amounts.—There are authorized to be appropriated to the Commission such sums as may be necessary for payments under subsection (a). Any amounts appropriated pursuant to the authorization under this subsection shall remain available until expended.”.
(b) CONFORMING AMENDMENT.—The table of sections of the Help America Vote Act of 2002 is amended by inserting after the item relating to section 257 the following new item:

"Sec. 257A. Payments for contingency paper ballots for the 2006 general election."